

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

35355/62

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/560900**

INTERNATIONAL APPLICATION NO

**PCT/JP2004/010381**

INTERNATIONAL FILING DATE

14 July 2004

PRIORITY DATE CLAIMED:

31 July 2003

TITLE OF INVENTION

**PROCESSED FAT COMPOSITION FOR PREVENTING/AMELIORATING LIFESTYLE-RELATED DISEASES**

APPLICANT(S) FOR DO/EO/US

ARAI, Naoki; KISHIDA, Hideyuki; IKEHARA, Toshinori; MAE, Tatsumasa

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **International Search Report; Cover page of published PCT Application**

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|--|--|--------------------------------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><div style="font-size: 2em; font-weight: bold; text-align: center;">10/560900</div> | INTERNATIONAL APPLICATION NO.<br>PCT/JF2004/010381 | ATTORNEY'S DOCKET NUMBER<br>35355/62 |
|--|--|--------------------------------------|

|  |                            |              |   |                        |        |
|--|----------------------------|--------------|---|------------------------|--------|
| 21. The following fees are submitted:  |                            |              |   |                        |        |
| <input checked="" type="checkbox"/>  | Basic National Fee.....    |              | \$ 300.00   | \$ 300.00              |        |
| 22 <input checked="" type="checkbox"/>   | Examination Fee            |              |   |                        |        |
| If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT   |                            |              |   |                        |        |
|  | Article 33(1)-(4).....     |              | \$ 100.00   |                        |        |
|  | All other situations ..... |              | \$ 200.00   | \$ 200.00              |        |
| 23 <input checked="" type="checkbox"/>   | Search Fee                 |              |   |                        |        |
| Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an International Searching Authority .....   |                            |              |   |                        |        |
|  |                            |              | \$ 100.00   |                        |        |
| International Search Report prepared and provided to the Office.....   |                            |              |   |                        |        |
|  |                            |              | \$ 400.00   | \$ 400.00              |        |
|  | All other situations ..... |              | \$ 500.00   |                        |        |
| <b>TOTAL OF ABOVE CALCULATIONS</b>   |                            |              |   | \$ 900.00              |        |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |                            |              |   |                        |        |
| Total Sheets   |                            | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE                   |        |
| 35   |                            | /50=0        | 0   | x \$250                | \$ -0- |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).   |                            |              |   | \$                     |        |
| CLAIMS   |                            | NUMBER FILED | NUMBER EXTRA  | RATE                   |        |
| Total Claims   |                            | 17 -20 =     | 0   | x \$50.00              | \$ -0- |
| Independent Claims   |                            | 3 - 3 =      | 0   | x \$200.00             | \$ -0- |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |                            |              |   | + \$360.00             | \$ -0- |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |                            |              |   | \$ 900.00              |        |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |                            |              |   | \$ -0-                 |        |
| <b>SUBTOTAL =</b>  |                            |              |   | \$ 900.00              |        |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).  |                            |              |   | \$ -0-                 |        |
| <b>TOTAL NATIONAL FEE =</b>  |                            |              |   | \$ 900.00              |        |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property   |                            |              |   | \$ 40.00               |        |
| <b>TOTAL FEES ENCLOSED =</b>   |                            |              |   | \$ 940.00              |        |
|  |                            |              |   | Amount to be refunded: | \$     |
|  |                            |              |   | Amount to be charged   | \$     |

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 11-0600 in the amount of \$940.00 to over the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0600. A duplicate copy of this sheet is enclosed.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

KENYON & KENYON  
1500 K Street, N.W., Suite 700  
Washington, DC 20005

**CUSTOMER NO. 23838**

*Cassandra T. Swain*  
SIGNATURE

(Reg. No. 48,361)

NAME: Cassandra T. Swain, Ph.D..

DATE: 16 December 2005